

### **REMARKS**

Claims 1-11 and 22-31 are pending in the application. Claims 12-21 have been cancelled, claims 2, 4-8, 10-11, 22-25 and 27-28 have been amended, and claims 29-31 have been added herein. The pending claims are amended herein to provide proper antecedent basis and for purposes of more particularly pointing out and distinctly claiming the subject matter Applicants regard as the invention. These amendments are not intended to narrow the scope of the claims from that as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **CANCELLED CLAIMS**

Claims 12-21 have been cancelled in view of the Examiner's restriction requirement. Applicants expressly request the right to prosecute the subject matter of the cancelled claims in a divisional application.

### **CLAIM AMENDMENTS**

Claim 27 has been amended per the Examiner's suggestions. More specifically, the word "anemometer" has been inserted and the word "manometer" has been deleted. Further amendments have been made to claims 2, 4-8, 10-11, 22-25 and 27-28 for purposes of providing proper antecedent basis and for purposes of more particularly pointing out and distinctly claiming the subject matter Applicants regard as the invention. These amendments do not narrow the subject matter claimed therein from that claimed in the application as originally filed.

## **PRIOR ART REJECTIONS**

Claims 1-8, 10-11, 22-26 and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Oglesby et al. (U.S. Pub. 2002/0164515). Claims 9 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oglesby et al. in view of Sekine (U.S. Patent 5,186,150) These rejections are respectfully traversed.

As noted above, the Examiner has rejected certain claims citing Oglesby et al. as prior art under 35 U.S.C. § 102(e) and Oglesby et al. in combination with Sekine as prior art under 35 U.S.C. § 103(a). 37 C.F.R. § 1.131 provides that:

"When any claim of an application ... is rejected under 35 U.S.C. 102(a) or (e), or 35 U.S.C. 103 based on ... reference ... to a printed publication, the inventor of the subject matter of the rejected claim ... may submit an appropriate oath or declaration to overcome the ... publication."

See also, MPEP 715 *et seq.*

In accordance with 37 C.F.R. § 1.131, Applicants submit herewith a declaration executed by the inventors which establishes invention of the subject matter of the rejected claims prior to the filing date of Oglesby et al., i.e. prior to May 4, 2001. Applicants further submit that sufficient evidence has been presented for purposes of swearing behind Oglesby et al. With Oglesby et al. removed as prior art, Applicant submits that the invention as recited in the claims presented define over the prior art of record. Thus, Applicant respectfully request that the Examiner reconsider and withdraw the foregoing rejections.

### NEW CLAIMS

Applicants present new claims 29-31 which point out and distinctly claim subject matter which Applicants regard as their invention. Applicants submit that the newly presented claims are supported by the application as originally filed, and thus do not present a new matter.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: February 9, 2005

By:   
David A. McClaughry  
Reg. No. 37,885

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

DAM/pal